

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : KUNIHIRO

Serial No. : 10/769,372 Art Unit : 2861

Filed : January 29, 2004 Examiner : S. Fidler

US Patent No.: 7,303,245 B2 Issue Date : December 4, 2007

For : PRINTING APPARATUS, PRINTING SYSTEM AND CONTROL
METHOD FOR PRINTING APPARATUS

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT

Mail Stop: - Certificate of Correction

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 35 U.S.C. § 254 and 37 CFR § 1.322, Patentee hereby requests that the attached Form PTO-1050, in duplicate, be approved and that a Certificate of Correction be issued. The attached copy of the Form PTO-1050 is suitable for printing.

The Commissioner for Patents is hereby authorized to charge the requisite \$100.00 Certificate of Correction fee, or credit any overpayment, to **Deposit Account 13-4500, Order No. 1232-5265.**

The above-identified United States Patent (7,303,245 B2 ("the '245 patent")) matured from Non-Provisional application Serial Number 10/769,372, filed January 30, 2004. As discussed in

further detail below, the '245 patent was deposited with the United States Postal Service ("USPS") as an Express Mail mailing, pursuant to the provisions under 37 § CFR 1.10, on January 30, 2004. A review of the '245 patent, however, reveals that the United States Patent and Trademark Office ("USPTO") erred in printing the patent in that the '245 patent was printed as having an erroneous filing date of January 29, 2004, one day before the application was, in fact, filed. Patentee also seeks correction of two additional printing errors as set forth below.

ERROR IDENTIFIED

On the Title Page the '245 patent, under INID Code "(22)", the identified "Filing Date:" of "Jan. 29, 2004" should be changed to --Jan. 30, 2004--.

Additional printing errors are as follows:

In Column 9, Line 9, the second occurrence of "for controlling," should be deleted; and

In Column 10, Line 30, the word "immediately" should be deleted.

The errors to the Title Page and Column 10, Line 30, were caused by the USPTO. The error to Column 9, Line 9, however, was not caused by the USPTO.

DISCUSSION

On January 30, 2004, the instant application was deposited with the USPS using the "Express Mail Post Office To Addressee" service as provided for under 37 CFR § 1.10(a). The Express Mail package, bearing Express Mail label "EV 245494638 US" was clearly marked by the USPS with a "Date In" of January 30, 2004 ("1 30 4"). Upon receipt of the application, however,

the USPTO apparently accorded the application an erroneous filing date of January 29, 2004, one day before the date clearly identified in the “Date In” box of the Express Mail mailing label. A true copy of the Customer Copy of the Post Office To Address Express Mail mailing label “EV 245494638 US” is attached hereto as Exhibit 1. It should also be noted that the Express Mail mailing label, in the lower portion of the “FROM” box, included the “1232-5265” attorney docket number for the present application.

A review of the application papers constituting the January 30, 2004 Express Mail mailing, reveals that the Express Mail label number “EV 245494638 US” was also included on the following items received by the USPTO: (1) the “EXPRESS MAIL CERTIFICATE” (identifying both the Express Mail label number “EV 245494638 US” and the January 30, 2004 date of deposit with the USPS), (2) the itemized postcard receipt that accompanied the application papers, (3) the upper left-hand section of the first page of the “UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))” and the upper right-hand section of Pages 2-4 of the “UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))”. Copies of above Items (1)-(3) are also attached hereto as Exhibit 2, Exhibit 3, and Exhibit 4, respectively.

CONCLUSION

Patentee hereby requests that a Certificate of Correction be issued correcting the errors discussed above and identified on the attached Form PTO-1050, in duplicate.

Serial No.: 10/769,372
Request for Certificate of Correction of Patent

Docket: 1232-5265

AUTHORIZATION

The Commissioner is hereby authorized to charge any fee deficiencies under 37 CFR
§ 1.20, or to credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-5265.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: January 10, 2008

By:



Brian W. Brown
Registration No. 47,265
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

CORRESPONDENCE ADDRESS:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, New York 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NUMBER : 7,303,245 B2
DATED : December 4, 2007
INVENTOR(S) : KUNIHIRO

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page, under "(22) Filed:" change "Jan. 29, 2004" to --Jan. 30, 2004--;

In Column 9, Line 9, delete the second occurrence of "for controlling,"; and

In Column 10, Line 30, delete "immediately".

MAILING ADDRESS OF SENDER: **Morgan & Finnegan, LLP
3 World Financial Center
New York, NY 10281-2101**

PATENT NO. **7,303,245 B2**

No. of additional copies



This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



EV 245494638 US



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Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
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Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
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<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
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Customer Signature		

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

FROM: (PLEASE PRINT)

PHONE ()

MORGAN & FINNEGAN LLP
345 PARK AVE FL 22
NEW YORK
USA

NY 10154-0023

JOSEPH A. CALVARUSO, ESQ.

1232-5245

Agency Acct. No. or
Private Acct. No.

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MAIL STOP PATENT APPLICATION

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

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EXHIBIT 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shunichi KUNIHIRO

Group Art Unit: TBA

Serial No.: TBA

Examiner: TBA

Filed: Herewith

For: PRINTING APPARATUS, PRINTING SYSTEM AND CONTROL METHOD FOR
PRINTING APPARATUS

EXPRESS MAIL CERTIFICATE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: **EV245494638 US**

Date of Deposit: **January 30, 2004**

I hereby certify that the following attached paper(s) and/or fee

1. Utility application and fee transmittal – specification 21 abstract 1p;
claims 3p; 7 sheets of formal drawings; executed declaration/oath
and check in the amount of \$770.00
2. Recordation of Assignment and Assignment.
3. Data Entry Sheet
4. Return Postcard Receipt

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(Typed or printed name of person mailing paper(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

Case No. 1232-5265 Serial No. TBA
Date Mailed January 30, 2004 ATTY JAC
Date Due in the Patent Office January 31, 2004

The return of this post card, properly stamped, will
acknowledge receipt in the Patent & Trademark Office
of the following:

Inventor: Shunichi KUNIHIRO

Utility application and fee transmittal-specification 21 abstract 1p;
claim 3p; 7 sheets of formal drawing; executed declaration/oath
and check in the amount of \$770.00

Recordation of Assignment and Assignment

Data Entry Sheet

Return postcard receipt

Express Mail EV 245494638 US

Docket: 1232-5265



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

(1) Shunichi KUNIHIRO, Kanagawa, Japan

☐ Additional inventors are listed on a separate sheet

For: PRINTING APPARATUS, PRINTING SYSTEM AND CONTROL METHOD FOR
PRINTING APPARATUS

Enclosed Are:

- 21 page(s) of specification
- 1 page(s) of Abstract
- 3 page(s) of claims
- 7 sheets of ☒ Formal ☐ Informal drawings
- 1 page(s) of Declaration and Power of Attorney
 - ☐ Unsigned
 - ☒ Newly Executed
 - ☐ Copy from prior application
 - ☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

- ☐ Incorporation by Reference:
- ☐ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.
- ☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))
Signed statement attached deleting inventor(s) named in the prior application serial no. ____, filed ____.
- ☐ Microfiche Computer Program (Appendix)
- ☐ page(s) of Sequence Listing
- ☐ computer readable disk containing Sequence Listing
- ☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same
- ☒ Assignment Papers (assignment cover sheet and assignment documents)
- ☒ A check in the amount of \$40.00 for recording the Assignment
- ☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. ____.
- ☐ Assignment Papers filed in the parent application Serial No. ____
- ☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)
- ☒ Priority is claimed under 35 U.S.C. §119 for:
Application No(s). 2003-024321, filed January 31, 2003, in Japan (country).
- ☐ Certified Copy of Priority Document(s) [____]
- ☐ filed herewith
- ☐ filed in application Serial No. ____, filed ____.
- ☐ English translation document(s) [____]
- ☐ filed herewith
- ☐ filed in application Serial No. ____, filed ____.
- ☐ Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. ____, filed ____.
- ☐ Information Disclosure Statement
- ☐ Copy of [____] cited references
- ☐ PTO Form-1449
- ☐ References cited in parent application Serial No. ____, filed ____.

EXHIBIT 4 cont.

- ☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
- ☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. _____, filed _____, to which priority under 35 U.S.C. §120 is claimed.
- ☐ Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- ☐ The status of the parent application is as follows:
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the parent application to this application
- ☐ Amend the specification by inserting before the first line the sentence:
This is ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. _____, filed _____.

EXHIBIT 4 cont.

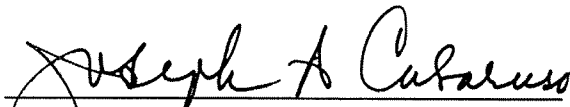
I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$770.00/385.00
Total Claims	9-20 =	x	\$18.00/ \$9.00	\$ 0.00
Independent Claims	3- 3 =	x	\$86.00/ \$43.00	\$ 0.00
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$290.00 (\$145.00)		\$
TOTAL:				\$ 770.00

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$_____.
- ☒ A check in the amount of \$770.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5265 A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: January 30, 2004

By:


Joseph A. Calvaruso
Registration No. 28,287

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

EXHIBIT 4 cont.